

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**MIRELA HINTERMAIER,**

**Plaintiff,**

**-against-**

**EQUIFAX INFORMATION SERVICES, LLC,  
EXPERIAN INFORMATION SOLUTIONS, INC.,  
and TRANSUNION, LLC,**

**Defendants.**  
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**1:24-cv-09697 (ALC) (RFT)**

**ORDER ADOPTING  
REPORT AND  
RECOMMENDATION**

**ANDREW L. CARTER, JR., United States District Judge:**

On March 20, 2025, this matter was referred to United States Magistrate Judge Robyn F. Tarnofsky for general pretrial matters. ECF No. 21. On March 21, 2025, Plaintiff filed a motion to strike Defendant Experian’s affirmative defenses. ECF No. 23. On April 19, 2025, Plaintiff filed motions to strike the answers submitted by Defendants Equifax and TransUnion. ECF Nos. 47, 48. On April 25, 2025, Plaintiff filed an amended complaint. ECF No. 51.

On April 28, 2025, Judge Tarnofsky issued a report and recommendation (“R&R”), recommending that Plaintiff’s motions to strike be denied as moot in light of the amended complaint. ECF No. 52 (“R&R”). Judge Tarnofsky recommended the motions be denied without prejudice to Plaintiff’s filing motions to strike Defendants’ anticipated answers to the amended complaint. *See id.* Despite notification of the right to object, no objections to the R&R were filed by the deadline of May 12, 2025.

Where no timely objections are made, the Court may adopt the report and recommendation so long as there is no clear error on the face of the record. *Sacks v. Gandhi Eng’g, Inc.*, 999 F. Supp. 2d 629, 632 (S.D.N.Y. 2014) (citing *Wilds v. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003)). In light of the lack of any objections to the R&R, and because the Court finds

no clear error in the record, the Court adopts Magistrate Judge Tarnofsky's R&R in its entirety. Accordingly, Plaintiff's motions at ECF Nos. 23, 47, and 48 are denied as moot and without prejudice.

The Clerk of Court is respectfully directed to terminate the pending motions at ECF Nos. 23, 47, and 48.

**SO ORDERED.**

**Dated: June 5, 2025**

**New York, New York**

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written in a cursive style.

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**ANDREW L. CARTER, JR.**  
**United States District Judge**